



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Philip George Ellis) Group Art Unit: 3725
Application Number: 09/786,739) Examiner: D. CRANE
Filed: October 15, 2001)
For: BUILDING FRAME MEMBER AND)
METHOD OF CONSTRUCTION)

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1/20/04

REQUEST FOR ONE-MONTH EXTENSION OF TIME TO RESPOND AND RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 C.F.R. §1.121

I hereby certify that this paper is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Arlington,
VA 22313-1450

12/31/03

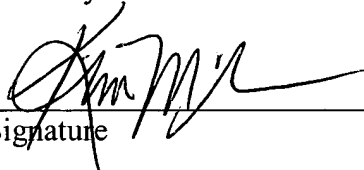
Date of Deposit

Kimberly J. McGraw

Attorney Name

50,994

PTO Registration No


Signature

12/31/03

Date of Signature

Commissioner of Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

Sir:


In response to the Notice of Non-Compliant Amendment mailed November 4, 2003,
Applicant respectfully requests that the Examiner reconsider the above-captioned patent
application in view of the following:

Request for one-month extension of time begins on page 2 of this paper.

Amendments to the claims begin on page 3 of this paper.

Request for One-Month Extension of Time to Respond:

Applicant respectfully requests a one-month extension of time for responding to the Office Action mailed November 4, 2003, with respect to the above-captioned patent application, up to and including January 4, 2003. Please charge the \$110 large entity fee for a one-month extension of time, and any other fees associated with this responsive amendment, to the undersigned's Deposit Account No. 02-4377.

Please type a plus sign (+) inside this box → **TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/786,739

Filing Date

October 15, 2001

First Named Inventor

Philip George Ellis

Group Art Unit

3725

Examiner Name

D. Crane

Attorney Docket Number

A34093 PCT USA 072142.0117

ENCLOSURES

(check all that apply)



Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Response to Missing Parts/Incomplete Application



Response to Missing Parts under 37 CFR 1.52 or 1.53



Assignment Papers (for an Application)



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



After Allowance Communication to Group



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



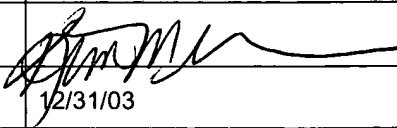
Other Enclosure(s) (please identify below):

Response to Notice of non-Compliant Amendment Under 37 C.F.R. §1.121 and Return Receipt Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual nameBakerBotts LLP
30 Rockefeller Plaza
New York, NY 10112

Signature

Att Name: Kimberly J. McGraw
PTO Reg: 50,994

Date

12/31/03

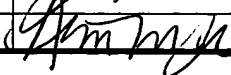
CERTIFICATE OF MAILING

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Typed or printed name

Kimberly J. McGraw

Signature



Date

12/31/03

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JAN 13 2004
TECHNOLOGY CENTER R3708

BAKER BOTTS LLP

JAN 06 2004

FEE TRANSMITTAL for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$110)

Complete if Known

Application Number	09/786,739
Filing Date	October 15, 2001
First Named Inventor	Philip George Ellis
Examiner Name	D. Crane
Art Unit	3725
Attorney Docket No.	A34093 PCT USA 072142.0117

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee required under 37CFR 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below	Fee Paid
Total Claims	<input type="text"/>	- 20 =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	- 3 =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent	<input type="text"/>				<input type="text"/>	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$0)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$110)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kimberly J. McGraw	Registration No. (Attorney/Agent)	50,994	Telephone	212-408-2502
Signature		Date	12/31/03		

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JAN 13 2004

TECHNOLOGY CENTER R3700



BAKER BOTTS LLP

Attorney Docket Number: A34093 PCT USA 072142.0117

Title: BUILDING FRAME MEMBER AND METHOD OF CONSTRUCTION

Use Space Below for Additional Information: